

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UBS SECURITIES LLC, and
UBS LOAN FINANCE LLC,

Plaintiffs,

07-CV-10382
(LAP/MHD)

v.

THE FINISH LINE, INC., and
GENESCO INC.,

Defendants.

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Declaration of William C. Jackson, dated February 6, 2008, and the Memorandum of Law in Support of Defendant Genesco, Inc.'s Motion to Dismiss or Abstain, Genesco, Inc. ("Genesco") will move this Court, at a date and time to be determined by the Court, for an order dismissing certain claims and issues raised in this action by Defendant/Counterclaim Plaintiff The Finish Line, Inc. ("Finish Line") and Plaintiffs UBS Securities LLC and UBS Loan Finance LLC (collectively "UBS"), or for an order dismissing and/or abstaining from deciding certain claims and issues raised by both Finish Line and UBS, and for such other relief as this Court deems just and proper. Specifically, Genesco requests that the Court dismiss or abstain from ruling on Finish Line's Counterclaim, as well the relief requested in UBS's Amended Complaint ¶¶ 42(b), 42(c), and 42(i).

NOTICE IS FURTHER GIVEN that responses to the Motion, if any, shall be served so as to be received on or before Friday, February 8, 2008, by counsel for Defendant, Boies, Schiller & Flexner LLP, 5301 Wisconsin Ave, N.W, Washington, D.C. 20015. A reply to the Motion, if any, shall be filed and served so as to be received on or before February 11, 2008.

Dated: February 6, 2008
New York, New York

BOIES, SCHILLER & FLEXNER LLP

By:



James R. Denvir (*pro hac vice*)
Michael A. Brille (*pro hac vice*)
William C. Jackson
Jonathan M. Shaw (*pro hac vice*)
5301 Wisconsin Avenue, N.W.
Suite 800
Washington, D.C. 20015
Tel: (202) 237-2727
Fax: (202) 237-6131

Adam R. Shaw (AS-7671)
575 Lexington Avenue
7th Floor
New York, New York 10022
Tel: (212) 446-2300
Fax: (212) 446-2350

BASS, BERRY & SIMS, PLC
Overton Thompson III (*pro hac vice*)
Bryan Larson (*pro hac vice*)
Britt Latham (*pro hac vice*)
315 Deaderick Street
Suite 2700
Nashville, TN 37238
Tel: (615) 742-7730
Fax: (615) 742-2804

Attorneys for Defendant Genesco Inc.

To:

Alexandra A.E. Shapiro, Esq.
Joseph J. Frank, Esq.
LATHAM & WATKINS, LLP
885 Third Avenue
New York, New York 10022
(212) 906-1200
(212) 751-4864 (*facsimile*)

*Attorneys for Plaintiffs UBS Securities, LLC
And UBS Loan Finance, LLC*

Harvey Kurzweil, Esq.
Vincent Schmeltz, III, Esq.
DEWEY & LeBOEUF LLP
1301 Avenue of the Americas
New York, New York 10019
(212) 259-8000
(212) 259-6333 (*facsimile*)

Attorneys for Defendant The Finish Line, Inc.